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Peter Gianana
Signature of Person Mailing Correspondence

PETER GIANANA
Printed Name of Person Mailing Correspondence

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AUG - 5 2002

TECHNOLOGY CENTER R3700

Docket No.: 01.39

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wolf, Shane

Serial No.: 09/923,113

Group Art Unit: 3732

Filed: August 6, 2001

Examiner: T. Manahan

For: Stress Relieving Gel Handle Tools For Salon And Spa

ELECTION, AMENDMENT AND REMARKS

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed on June 21, 2002, in which election was required by the Examiner, please amend the application as follows:

IN THE CLAIMS:

Renumber the last claim to read "24". This claim was mis-numbered as 23.

REMARKS

Election of Species

According to the office action, figures 5 through 12 of the specification represent patentably distinct species of the claimed invention. The office action has characterized

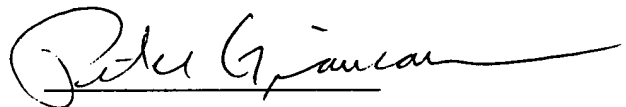
claims 1-10 and 13 as generic. For prosecution, the applicants provisionally elect, **with traverse**, Figure 8 (shears), directed to claims 1-10 and 12-24.

For the record, the Examiner has not met the requirements of MPEP 808, which states,

Every requirement to restrict has **two** aspects: (1) **the reasons** ... why the inventions as claimed are either independent or distinct, and (2) **the reasons** for insisting upon restriction therebetween as set forth in the following sections.

The present office action has failed to place on the record, the required reasonings.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Peter Giancana", written over a horizontal line.

Peter Giancana
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